

STEVE COOLEY
District Attorney of Los Angeles County
PATRICK D. MORAN, State Bar No. 066907
TRACEY W. LOPEZ, State Bar No. 174102
320 West Temple St., Suite 540
Los Angeles, California 90012-3213
Telephone: (213) 974-5911
Fax: (213) 217-5104
Email: tlopez@da.lacounty.gov

Attorneys for Respondent

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ELI TONEY DELRAY,

Petitioner,

v.

WARDEN,

Respondent.


Case Number:
CV-10-1845 VBF (RNB)

SECOND REQUEST FOR
ENLARGEMENT OF TIME TO
RESPOND TO THE PENDING
PETITION FOR WRIT OF
HABEAS CORPUS

Based on the attached Declaration of Tracey W. Lopez, Deputy District Attorney, request is hereby made pursuant to Fed. R. Civ. P. 6 (b) for an enlargement of time to and including July 8, 2010, in which to file a Motion to Dismiss the pending petition for writ of habeas corpus.

Respectfully submitted,
STEVE COOLEY,
District Attorney of Los Angeles County


PATRICK D. MORAN


TRACEY W. LOPEZ
Deputy District Attorneys
Appellate Division
Attorneys for Respondent

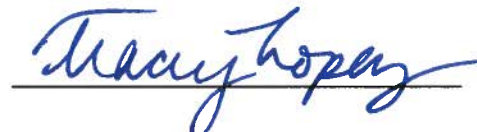
The undersigned, Tracey W. Lopez, hereby declares under penalty of perjury that the following is true and correct:

Respondent's Motion to Dismiss is currently due Thursday, May 27, 2010. Declarant will be unable to file a Motion to Dismiss until July 8, 2010 because declarant has not yet secured copies of all relevant documents. For example, declarant does not yet have a copy of the habeas corpus petition filed by Petitioner in the California Supreme Court. In order to adequately represent Respondent, it is necessary to review this and other documents in order to prepare Respondent's

1 Motion to Dismiss the Habeas Corpus Petition and provide a complete record to this
2 Court upon the motion.

3 Therefore, for the reasons given above, declarant respectfully requests
4 an enlargement of time to and including July 8, 2010 to file a Motion to Dismiss the
5 Habeas Corpus Petition.
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7 Executed on May 21, 2010, at Los Angeles, California.
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11 TRACEY W. LOPEZ
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DECLARATION OF SERVICE BY MAIL

The undersigned declares under penalty of perjury that the following is true and correct:

I am over eighteen years of age, not a party to the within cause and employed in the Office of the District Attorney of Los Angeles County with offices at 320 West Temple St., Suite 540, Los Angeles, California 90012. On the date of execution hereof, I served the attached Request for Enlargement of Time to Respond to the Pending Petition for Writ of Habeas Corpus upon each addressee by depositing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail in the County of Los Angeles, California, addressed as follows, and where indicated, by e-mail:

Eli Toney DelRay
CSH-000155-2
Coalinga State Hospital
24511 West Janey Avenue
PO Box 5003
Coalinga, CA 93211-5003

Executed on May 21, 2010, at Los Angeles, California.


(Signature) Laura Vega